

**FILED**

APR 18 2008

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *KNT* DEPUTY

'08 CV 0726 BEN BLM

Southern District Federal Courts of Calif.  
880 Front Street Ste 4240  
San Diego Ca 92101-8900. #

San Diego County Courts Superior Div.  
330 W. Broadway  
San Diego Ca. 92101-3827

Mr. James Lynn O'Hines 197067

v.

§ Torts at 362 §  
Personal Injury Medical  
Mal practice.

A.S.P.C. Warden, Dir. Dept of Corr.,

Atascadero State Hospital &amp; et al.

as "Ontiveros, Schileo, and P.O.A. Union."

San Luis Obispo to San Diego

Santa Barbara to Maricopa and Pinal

as "Region IV Calif Dept of Corr. Parole Dept."

Transient Officers Does 1 to approx 45. #

Prisoner Petitions at 540 §  
Mandamus and Other:

Social Security at 864 §  
Title XVI.

A. Jurisdiction.

This Court(s) have jurisdiction by Venue and plaintiff and  
defendant(s) residence ship as fully applicable under statute:  
28 USC § 1367 for Complete Diversity 28 USC § 1332 for  
over \$75,000.00 in controversy sought by 42 USC § 1396r.

1 This Court has jurisdiction over this action pursuant to:

2 28 USC § 1343 (a) (3); 42 USC § 1983

3 28 USC § 1331 Bivens v. Six unknown Federal  
4 Narcotics Agents 403 U.S. 388 (1971).

5 28 USC § 1631 - 1651 transfer of custody, Venue,  
6 and Injunction for T.R.O.s and garnishments.

### 7 Cause of Action? :

8 Constitutional or Other Federal Civil Right Violation? XIV<sup>th</sup>

9 Amend: Deprivation of liberty w/out due process, equal protection.

10 What? Unusual punishments inflicted VIII<sup>th</sup> Amend. Pre-conceive  
11 conspiracy in a protected activity.

12 Who? Inter-state Compact Agreement Corrections Agents and  
13 Plaintiff, plaintiff's mother, plaintiff's child.

14 How? By 28 USC §§ 2510 - 2520 audio video surveillance  
15 as a tracking device.

16 When? 1982-89. 1996-99. 2004 to 2008 to 2010 E.P.R.O.

17 Where? State to State Missouri, California, Arizona.

18 why? Child Custody and Los Angeles Brentwood Homicides Racially  
19 Motivated from 1982-1989-1996-1999 to 2004 to 2008 "Seminole"

20 Case at law? Chicago Miracle Temple Church Inc v. Fox, n.d. Ill.

21 1995 905 F Supp 1333 pre-conceived conspiracy § 7.5 (1)

22 Prisoner-Plaintiff Rights Violations? The Right to remain free from  
23 association of state local officers practicing oppression for  
24 Religion, Racial, or sexual reasons and to not be denied  
25 access to the courts for compensation fair and impartial

26 Venue by a Judge, Jury not be denied access to attorney.

1 Who? Defendant(s) as Listed Numerous F.R.C.P. 5 (c)  
 2 and special defendant Kenneth Kempster (aka Cole) at  
 3 Missouri Florida California and Illinois \* State Judicial Cir.  
 4 2nd cousin 1<sup>st</sup> cousin to Mother Seminole Indian at Illinois.  
 5 Springfield State Capital Records Archives Tommy Pierson and Cole Pierson  
 6 aka "Crazy Mac" D.O.B. Mississippi 1950's KKK Homocide.  
 7 Grandmother and Great Grandmother to special defendant and  
 8 plaintiff. (Inter pleader).  
 9

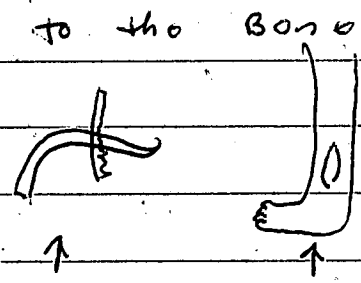
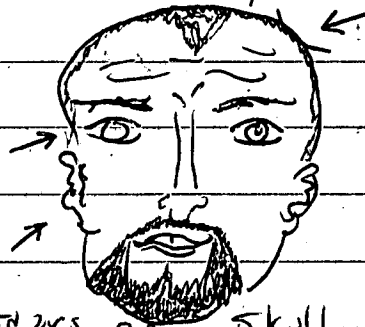
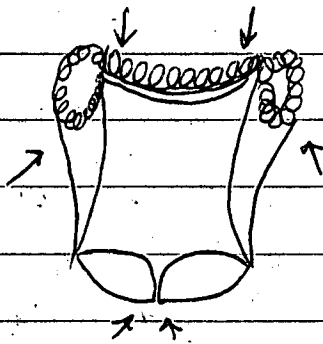
10 Whom? Pre-Ethanol gasoline sales at Cole Acres Farms Moultrie Co.  
 11 Illinois Cole County Illinois Macou County Illinois to Des Moines  
 12 Iowa to DeKalb Illinois. (1982 to 2008 retro-actively.)  
 13

14 Where? State to State Illinois, Florida, Missouri, California, Arizona.  
 15

16 How? By surveillance tactical units audio video technicians use  
 17 of name(s) and n.k.a.'s in maze lock areas of Narcotics  
 18 use and sales with police succinctly to infringe upon domain  
 19 out of custody in public private residence and daily life,  
 20 liberty interests of parental custody in custody child neglect  
 21 and abuse by investigators generally. Increased risks of hazardous  
 22 health, denied options of medical treatments and alternative sentencing.  
 23

24 Why? To impose a Church-State, above law and order, Immunity  
 25 clause that enforces Christian-Judean Identity censorship and Reversely  
 26 Discriminates by Union Activity to obstruct and oppress for leeway  
 27 of Ins violations access to Education, chemicals, and property  
 28 for public to private financial gains.

## "Exhibits" of Kenneth Cole



Special snaps ↓ arrows ↑	Blind right eye	Right thigh
Red owl suit 7 yrs	Scars Right ear	Left ankle
7 yr. old daughter Kimberly	Intusion Light + Blindness ear by toxic persons	Scars on Legs
		Medical malpractice 1985 2005
		AMA optional medical: Signature denied; and 10 cc cancer by radiation (twice) "sexual assault"
Hospital surgical uc 30	RJO Infirmary arrest	24 Hr Care Clayton Big Bend Rd.
5-15-97 4-2004	11/97 to 4/98	1989 to 1990, 1982*
Petitioner	Petitioner	Petitioners Mother 49 y old.
		County Jail 10-9-04 *
		Sgt Harmon A 5390 #
		AOC Ad seg 8-6-05 *
		Warden / Deputy Warden / Administrator
		Signed Investigatory Contract
Good Samaritan 10-7-04 Hospital arrest	AOC custody. 10-30-05 Hospital	Maricopa County Jail / AOC Ad seg
1959 Circu photos (Items illegally seized)		Song Lyrics approx 2000 #
Uncle Freddy Harr	6-99 # and 10-99 #	total. 1990-1997 to 2004 Ad
Cousin Dolly Patton	Corcoran situ family visit	San Diego, Phoenix Narcotics
Mother Linda Sue Hines	9 yr. old female child	Squad w/ churches at Tem
Father J. Daniel Hines	% Cindy Smith % A. Collier	Metzger Alpine Co.

[illegible]



Count Six 6

Constitutional or other civil federal Right That is/was/has been  
 Violated: Homocides by female 40 of S.L.A Terrorist Sexual Brood.  
 Mother of Plaintiff: Mrs. Linda Sue Plerson Hines DOB 1942. B'nai B'rith  
 Child of Plaintiff: Ms. Kimmy hee hee DOB 1990. Alexis Bros. Hosp.  
 "The right to not be selected as genocide candidate for Race, Religion, sex."

Cause of Action? Failed Family Visit:

Wrongful Death(s). Radiation 10 c.c. sexual assaults 1982 to 1989.  
 A.R.S. 36-339 (c) (3) Missing child D.O.A. by: (Hot shot GHB & meth.) MIA.  
 since 6-99. 10-99 SUPPORTING FACTS? at Corcoran State Prison CMA (cc).  
 Who? : Defendants as "The Smith Family". % Cindy Smith "The Henderson Family" Mrs.  
 Stuart Wagner. Henderson. "The Gaston Family" Suzi Q and Ricky aka "Walker" or / Jatto MO Inc. \*  
 What? Video-sexual-assault 10 cc syringe. provided by Rachel Pook Gerald Shortt  
 and Norman Richter and Dr. Miller - Jatto Barnes Hospital. St. Louis Mo. (Corcoran Calif) #  
 When? 1982 to 1989; 1990 to 1997 to 1999 Oct, (1999 June), and,  
 Sept. 2004 to Oct 2004 (in phoenix) to 2005. #  
 Where? Webster Groves Mo. Crestwood Mo. San Diego Ca. Phoenix Az. (Corcoran Calif) #  
 (c.c) Calif Medi Assoc., R.N. Irene Zimmerman McDonald.) Note.  
 How? Injection by syringe for "Carasta Gamo" Grand Ave St. Louis Mo. A.T.F.  
 5 USC A § 551 Federal Agency Bar network lower licensed Operators.  
 Why? Vindictive Retaliation of Jewish Manson philosophy by Cabala. for Witches. #

Injury?

Denied property Estate value: \$450,000.00 100 yr. Residence Webster Groves, Mo.  
 Denied favored beneficiary status of codicil to a Will \$100,000.00  
 Denied Fathers Rights Parental custody by defendants. Life, Liberty, Interests.

Exhaustion of Remedies? yes.

11/13/06. Overfamiliarity Reported to Deputy Warden Johnson, Transient %  
 w/ m.c.s. carnival Spring Valley Calif ... Yuma Az. Paramount Ca.  
 Los Angeles County. #

1 Supporting Facts: (See: Campesino Case San Diego  
 2 East County (Jm Ronni Inman) Mexican vs. White over  
 3 sexual rape.) and 1985 Jaime Martinez Gay Hato Crimo  
 4 Victim San Diego 4th & Broadway). as priors. defendants.

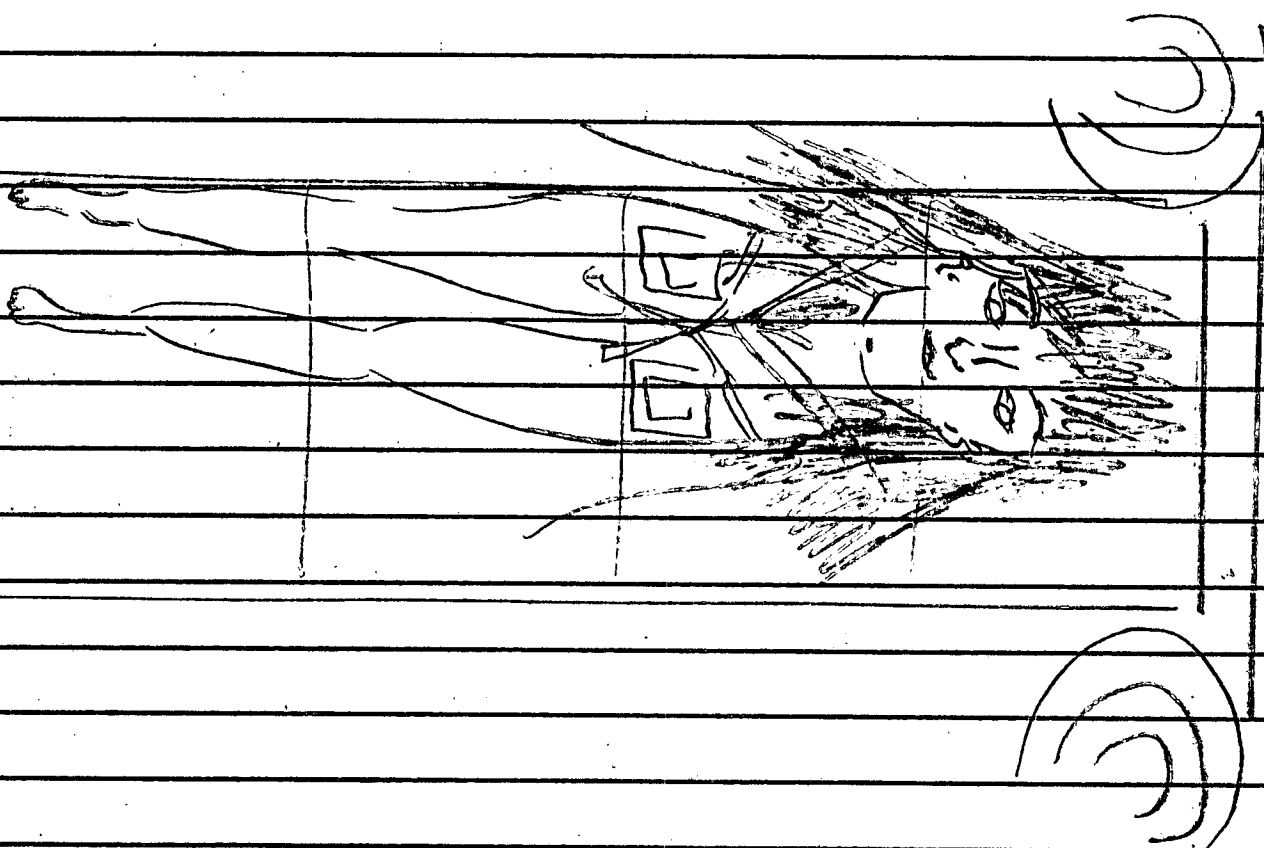
5 The use of audio video surveillance by Poway  
 6 Pomarado Rd Capt Stringfellow aka. "Dutch Schultz productions"  
 7 w/ defendants to instructively advise A.W.O.L. parolee  
 8 from Board & Care Home to fight one and same Ed.  
 9 "Quintana" Hernandez on 10-7-04 w/ San Diego SSU  
 10 Symped for rape, kidnapping of juvenile female child.

11 The continued manipulations by/ot with defendant(s)  
 12 and plaintiff over drug sales and use to be engaged in  
 13 a violent altercation w/ amnesiac condition from Santa  
 14 Hospital over familiarized w/ defendants from scenarios  
 15 of "lost expectations", theft of social security funds and  
 16 controversy of quality health care as medical medicinal  
 17 recipient and visually impaired prisoner parolee obstructs  
 18 and oppresses plaintiff. In and Out of Custody.

19 The failure to stop has resulted in Rule Violations Report  
 20 that contradicting and false drug equal protection at  
 21 Florence Eymen Smoother Complex from San Diego.

22 Success of Imprisonment Structures to:  
 23 Injury? (5/15/07 UCSD Hosp 4/2004) (10/7/04 Boal Samaritan  
 24 Hosp #) Oct, Nov. 2005 PHX Gen. Co. Hosp. Apache Jct. Hosp.).

25 Imminent Danger? Without Federal conversion of custody y/ps.  
 26 w/priors from 1984 St. Louis Mo. Clayton Hospital)  
 27 Exhaustion of Remedies and Request for Relief? As of 11/13/06  
 28 Financial Compensatory and punitive damages \$250,000.00  
 29 500.00 a day \$25,000.00 a mo. (42 USC § 1396r.)





JS44

(Rev. 07/89)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

## I (a) PLAINTIFFS

James Lynn O'Hines

## DEFENDANTS

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APR 18 2008  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *R.M.* DEPUTY

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

James Lynn O'Hines  
PO Box 3400  
Florence, AZ 85232  
197067

ATTORNEYS (IF KNOWN)

**'08 CV 0726 BEN BLM**

## II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- |   | PT                         | DEF                        |   | PT                         | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

**28 USC 1331**

## V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(e)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prisoner Conditions			

## VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

## VIII. RELATED CASE(S) IF ANY (See Instructions):

JUDGE

Docket Number

DATE 4/18/2008

SIGNATURE OF ATTORNEY OF RECORD

*R. Mules**CR*